

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 23 MAY 2005

PCT WIPO PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2005/001025

International filing date (day/month/year)
12.01.2005

Priority date (day/month/year)
21.01.2004

International Patent Classification (IPC) or both national classification and IPC
B25B27/00, B60J10/00

Applicant
3M INNOVATIVE PROPERTIES COMPANY

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Raven, P

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/001025

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/001025

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------|-------------|------|
| Novelty (N) | Yes: Claims | 1-21 |
| | No: Claims | |

| | | |
|-------------------------|-------------|------|
| ___ Inventive step (IS) | Yes: Claims | 1-21 |
| | No: Claims | |

| | | |
|-------------------------------|-------------|------|
| Industrial applicability (IA) | Yes: Claims | 1-21 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Re Item V.

- 1 Reference is made to the following documents:
D1 : US 4 172 313 A (TAKAHASHI, KIHEI) 30 October 1979 (1979-10-30)
D2 : US 5 735 032 A (STONE ET AL) 7 April 1998 (1998-04-07)
D3 : PATENT ABSTRACTS OF JAPAN vol. 2000, no. 23, 10 February 2001 (2001-02-10) &; JP 2001 171570 A (KANSAI PAINT CO LTD), 26 June 2001 (2001-06-26)
D4 : PATENT ABSTRACTS OF JAPAN vol. 2003, no. 12, 5 December 2003 (2003-12-05) &; JP 2003 285970 A (KOKOKU KIKO KK), 7 October 2003 (2003-10-07)

- 2 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document):

An attaching device (25) for gradually attaching a gutter-sectional strip (40) having an optional length to an edge (36) of a plate-like portion of an object (37), the gutter-sectional strip (40) including a pair of arm pieces (44,45) opposing each other and a back length connecting the arm pieces (44,45) with each other, said device comprising:

- a) a body (26) having a passage for the gutter-sectional strip (40);
- b) a pressing groove provided in said body (26) for receiving the gutter-sectional strip with the back length thereof being firstly received; and
- d) a strip guide (55) provided in said passage for guiding the gutter-sectional strip (40) toward said pressing groove

From this, the subject-matter of independent claim 1 differs in that:

said device further comprises:

- c) a support surface provided in said body and substantially opposing and cooperating with said pressing groove to hold therebetween the object having the plate-like portion; and
- d) said strip guide further spreads out the arm pieces of the gutter-sectional strip as the gutter-sectional strip is fed along said passage.

- The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).
- 2 The problem to be solved by the present invention may be regarded as:

Provision of a device for attaching a gutter-sectional strip to an edge of a plate-like portion of an object which ensures that the device in the hands of an unskilled operator moves in conformity with said edge in a stable state to securely and safely apply said strip.

- 2.1 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

The attaching devices of both D1 and D2 (which finds particular use in the attachment of a gutter-sectional strip to the door sash of an automobile) requires the operator to hold the device against the object being treated in order to attach the strip, even in the case of D2 where the strip is applied in the upwards direction to the top inner edge of the door sash. No means are foreseen in either of these documents to support the device on the object by nipping or clamping the object with the device. Documents D3 and D4 each disclose a device for the application of an adhesive-backed tape to the surface of a sash frame of an automobile. The devices or jigs as they are referred to possess support means opposing the application means for holding the jig in a given position/orientation. However, neither of these two documents are provided with means for attaching a gutter-sectional strip to the edge of a plate-like object. No hint is given in either D1 or D2 which would lead a man skilled in the art to consider a combination of the features of these documents with those of either of D3 or D4 in order to arrive at the attachment device of present claim 1.

- 2.2 Claims 2-21 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

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